

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

ABERDEEN ENTERPRISES, INC.  
BRICKCHURCH ENTERPRISES, INC.

Debtors.  
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Chapter 11  
Case No. 23-72834 (AST)  
Case No. 22-70914 (AST)  
(Jointly Administered)

**ORDER AUTHORIZING AND DIRECTING ESCROW AGENT'S  
DISTRIBUTION OF EXCESS FUNDS IN ACCORDANCE WITH  
THE CONFIRMED PLAN AND DISCHARGING THE ESCROW AGENT**

Upon the *Joint Motion of Bay Point Capital Partners II, LP and the Escrow Agent for Entry of an Order Authorizing and Directing Escrow Agent's Distribution of Remaining Funds in Accordance with the Confirmed Plan* ("Motion")<sup>1</sup> filed by Bay Point Capital Partners II, L.P. ("Bay Point") and Gary Herbst, solely in his capacity as the Escrow Agent in the above-captioned cases ("Escrow Agent"), and notice of the Motion having been given to all creditors and other parties-in-interest; and upon the objection to the Motion filed by Louise Blouin ("Objection"); and upon the hearing held on **December 17, 2024** ("Hearing"), the record of which is incorporated herein by reference; and the Court having considered the Motion and the Objection; and the Court having found that the relief requested in the Motion is justified and warranted; and the Court having overruled the Objection; and the Court having directed the Escrow Agent to settle an order as to the distributions of all of the remaining funds in each of the above-captioned cases; and good and sufficient notice of the Motion having been given; and good and sufficient cause appearing therefore, it is hereby:

ORDERED the Motion is GRANTED as set forth herein; and it is further

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<sup>1</sup> All capitalized terms used but not defined herein have the meanings given to such terms in the Motion.

ORDERED that the Escrow Agent is hereby authorized and directed to immediately distribute the sum of \$777.00 from the Aberdeen Escrow Account and \$1,033.55 from the Brickchurch Escrow Account to the Office of the United States Trustee on account of the quarterly fees due the Office of the United States Trustee in each estate through the first quarter of 2025; and it is further

ORDERED that the Escrow Agent is hereby authorized and directed to immediately distribute the sum of \$7,000.00 from the Aberdeen Escrow Account and the sum of \$7,000.00 from the Brickchurch Escrow Account to the Debtor's accountant, to be designated by Mathew Kabatoff, in accordance with the Confirmed Plan; and it is further

ORDERED that the Escrow Agent is hereby authorized and directed to immediately distribute the sum of \$54,116.83, or whatever amount remains in the Aberdeen Escrow Account after the above distributions are made, from the Aberdeen Escrow Account and the sum of \$73,281.33, or whatever amount remains in the Brickchurch Escrow Account after the above distributions are made, from the Brickchurch Escrow Account to Bay Point in accordance with the Confirmed Plan; and it further

ORDERED that upon the Escrow Agent making the distributions set forth herein, the Escrow Agent shall be discharged from all his duties and shall have no further obligations or responsibilities in the above referenced cases; and it is further


ORDERED that the terms of the Confirmation Order remain in full force and effect, and nothing herein may be deemed a modification of any terms of the Confirmation Order or the Confirmed Plan; and it is further

ORDERED that this Order shall be effective immediately upon entry; and it is further

ORDERED that this Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: February 27, 2025  
Central Islip, New York



  
Alan S. Trust  
Chief United States Bankruptcy Judge